

IDAHO LIQUEFIED PETROLEUM GAS SAFETY BOARD
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 2/10/2021

BOARD MEMBERS PRESENT: Tom C Daniels - Chair
Rick J Harris
Garrett De Jong
Ben Estes

BOARD MEMBERS ABSENT: Richard B Davies

DIVISION STAFF: Dawn Hall, Section Chief
MiChell Bird, Section Chief
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Skipp Liddle, Chief Investigator
Kim Aksamit, Board Specialist

The meeting was called to order at 9:00 AM MST by Mr. Daniels.

APPROVAL OF MINUTES

Mr. Estes made a motion to approve the minutes of September 9, 2020. It was seconded by Mr. Harris. Motion carried.

Mr. Harris made a motion to approve the minutes of October 14, 2020. It was seconded by Mr. Estes. Motion carried.

Mr. Estes made a motion to approve the minutes of November 11, 2020. It was seconded by Mr. Harris. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Estes made a motion to approve the Division's recommendation and authorize closure in case number I-LPG-2019-28. It was seconded by Mr. Harris. Motion carried.

LAWS AND RULES

Ms. Hall presented a legislative update.

Mr. Estes moved the following:

“Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of rule IDAPA 24 is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Board’s budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho’s constitutional requirement that it balance its budget.

Therefore, we are adopting this/these temporary fee rule(s) to be effective upon *sine die* of the 2021 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including sections 67-5291 and 67-5292, Idaho Code.”

It was seconded by Mr. Harris. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$221,024.11 as of January 31, 2021.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

NEXT MEETING was scheduled for April 14, 2021 at 9:00 AM MDT.

Mr. Estes made a motion to allow Division staff to approve individual applications between Board meetings. It was seconded by Mr. De Jong. Motion carried.

BOARD BUSINESS

EXECUTIVE SESSION

Mr. Estes made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Mr. De Jong. The vote was: Mr. De Jong, aye; Mr. Harris, aye; Mr. Estes, aye; and Mr. Daniels, aye. Motion carried.

Mr. Estes made a motion to come out of executive session. It was seconded by Mr. De Jong. Motion carried.

Mr. Harris recused himself from discussion.

APPLICATIONS

Mr. Estes made a motion to approve the following pending receipt of additional information:

901173329

It was seconded by Mr. De Jong. Motion carried.

ADJOURNMENT

Mr. De Jong made a motion to adjourn the meeting at 9:33 AM MST. It was seconded by Mr. Estes. Motion carried.

Tom C Daniels, Chair